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OFFICE OF PETITIONS

In re Application of :
Kiril A. PANDELISEV :
Application No. 10/804,152 : DECISION ON PETITION
Filed: March 19, 2004 :
Attorney Docket No. 3027-0032 :

This is a decision on the petition, filed December 29, 2009, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. *Note* 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment."

Petitioner request withdrawal of the Notice of Abandonment mailed October 29, 2009 for failure to file an Appeal Brief within two months of the date of filing the Notice of Appeal filed April 02, 2009. Petitioner asserts that the abandonment was prematurely issued; stating that the period of time for filing a response should have been extendable to November 02, 2009.

A review of the Office records indicates that the applicant's time period for reply with extension of times was in fact due by November 02, 2009. However, the required reply was not submitted with the petition, therefore the petition requesting withdrawal of the holding of abandonment cannot be granted at this time.

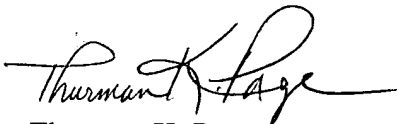
Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries concerning this decision should be directed to Michelle R. Eason at (571) 272-4231.

A handwritten signature in black ink, appearing to read "Thurman K. Page". The signature is fluid and cursive, with the first name "Thurman" and last name "Page" clearly distinguishable.

Thurman K. Page
Petitions Examiner
Office of Petitions